DAVID L. HENKIN #6876 ISAAC H. MORIWAKE #7141 **EARTHJUSTICE** 223 South King Street, Suite 400 Honolulu, Hawai'i 96813 Telephone No.: (808) 599-2436

Fax No.: (808) 521-6841

Email: dhenkin@earthjustice.org

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

) C1V1l No. 04-00502 DAE BMK
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) PLAINTIFFS' INITIAL NOTICE RE:
) TRANSCRIPT DESIGNATION;
) CERTIFICATE OF SERVICE
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PLAINTIFFS' INITIAL NOTICE RE: TRANSCRIPT DESIGNATION

¹ Pursuant to Federal Rule of Civil Procedure 25(d)(1), Pete Geren is hereby substituted in his official capacity for his predecessor, Francis J. Harvey.

Pursuant to Federal Rule of Appellate Procedure 10(b) and Ninth Circuit Rule 10-3.1, notice is hereby given that 'Īlio'ulaokalani Coalition, Nā 'Imi Pono, and Kīpuka, plaintiffs in the above named case, intend to order the complete transcripts of the following proceedings related to its appeal from the Order Setting Interim Injunction, entered in this action on December 29, 2006, and from the orders related to that order:

- 1. November 6, 2006 Status Conference;
- 2. November 16, 2006 Hearing on Plaintiffs' Motion to File Second Amended Complaint and to Join Necessary Parties;
- November 20, 2006 Status Conference; and 3.
- December 18, 2006 Hearing on Scope of Interim Injunctive Relief. 4.

DATED: Honolulu, Hawai'i, March 8, 2007.

> **EARTHJUSTICE** 223 South King Street, Suite 400 Honolulu, Hawai'i 96813

/s/ David L. Henkin By: David L. Henkin Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on March 8, 2007, a true and correct copy of the foregoing document was served as indicated:

Served electronically through CM/ECF:

HARRY YEE

harry.yee@usdoj.gov

Attorney for Federal Defendants

Served via e-mail and first-class United States mail, postage prepaid:

JAMES D. GETTE United States Department of Justice General Litigation Section Environment and Natural Resources Division U.S. Department of Justice P.O. Box 663 Washington, D.C. 20044-0663 Email: james.gette@usdoj.gov

Attorney for Federal Defendants

Honolulu, Hawai'i, March 8, 2007. DATED:

> /s/ David L. Henkin DAVID L. HENKIN ISAAC H. MORIWAKE Attorneys for Plaintiffs